

Appln. No. 09/776,984 Express Mail Cert. No. EL 834 335 305 US **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ponasik et al.

Application No.: 09/776,984 Group No.: 1755

Filed: 02/05/2001

Examiner: not assigned

For: Catalyst Compositions for the Polymerization of Olefins

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JUN 1 8 2001

Assistant Commissioner for Patents Washington, D.C. 20231

OFFICE OF PETITIONS

PETITION TO ESTABLISH PRIOR RECEIPT IN THE P.T.O. OF ITEM(S) CONSIDERED AS OMITTED BY THE P.T.O. –RESPONSE TO "NOTICE OF OMITTED ITEMS"

- 1. This is in response to the "NOTICE OF OMITTED ITEMS" mailed for this application on April 16, 2001. A copy of the "NOTICE OF OMITTED ITEMS" is enclosed.
- 2. Applicant asserts that the items indicated as omitted were in fact deposited with the P.T.O. with the original application papers filed on February 5, 2001.
- 3. Applicant hereby:
 - A. Petitions under 37 Section 1.53(e) for a review of the determination that the items in issue were omitted;
 - B. Submits the petition fee under 37 Section 1.17(h); and
 - C. Submits the attached evidence of the deposit of the items in issue.
- 4. For the convenience of the Patent Office, Applicant has enclosed a duplicate of the page (page 18) that the Patent Office determined was omitted.

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130.00 OP

(Petition to Establish Prior Receipt in the PTO of Item(s) Considered as Omitted by the PTO--Response to "Notice of Omitted Items"--page 1 of 3)

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This is a nonprovisional application.

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The petition fee, 37 Section 1.17(h), is paid as follows:

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Please charge Account 16-1435 for any fee deficiency for this petition. A duplicate of this sheet is attached for that purpose.

6. Request for Refund

It is respectfully requested that, upon grant of the petition under 37 C.F.R. Section 1.53(e), the (Rey. No. 44,874) for petition fee be refunded by payment of refund by check.

Charles W. (alkins (Reg. No. 31,814) J. Jason Link (Reg. No. 44,874) for

Charles W. Calkins Registration No. 31,814 Kilpatrick Stockton LLP 1001 West Fourth Street Winston-Salem, NC 27101 336-607-7315

BEST AVAILABLE COPPED STATES PATENT & TRADEMARK OFFICE Washington, D.C. 20231

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